

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114.

2. Applicant's submission filed on \*March 04, 2010 \* has been entered and forwarded to the examiner on April 20, 2010.

3. As per petition to withdraw decision, Applicants' withdrew Application from allowance after payment of issue fee and filed IDS on 03/04/2010 and filed a supplemental IDS on 04/05/2010 to correct the IDS filed on 03/04/2010.

Therefore claims 1 to 78 filed on October 31, 2007 are currently pending in the Application.

***Information Disclosure Statement***

The IDS/s with mail date 03/04/2010 and 04/05/2010 have been considered and the PTO-1449s enclosed herewith.

Therefore all IDS/s to date have been considered.

***Allowable Subject Matter***

Claims 1 to 78 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art taken either singularly or in combination fails to anticipate or fairly suggest the limitation of the, in such manner that a rejection under 35 U.S.C. 102 or 103 would be proper. The prior art fails to teach a combination of all the claimed features as presented in independent claims (1, 6, 10, 14, 19, 24, 44, 47, 50, 51, 52, 53, 54, 69 and 77), which include the semiconductor device comprising: a semiconductor having at least channel, source and drain regions; an insulating film formed on said semiconductor; a

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gate electrode over the insulating film; a first interlayer insulating film over said insulating film and the gate electrode; a second interlayer insulating film on said first interlayer insulating film, said second interlayer insulating film comprising a different material from said insulating film; a first opening in said insulating film for exposing a portion of said semiconductor; a second opening in said first interlayer insulating film for exposing said portion of said semiconductor layer and a portion of said insulating film that surrounds said first opening; and a third opening in said second interlayer insulating film for exposing said portion of said semiconductor, said portion of said insulating film and a portion of said first interlayer insulating film that surrounds said second opening, wherein edges of at least said third opening are rounded off, and ( wherein a thickness of the first interlayer insulating film is less than one third of a total thickness of the first and second interlayer insulating films), or( wherein a taper angle/3 of the second interlayer insulating film with respect to a major surface of said semiconductor layer in the third opening is larger than a taper angle of the first interlayer insulating film with respect to the major surface of said semiconductor layer in the second opening) as also stated by Applicants' in their arguments. ( See also parent case now USP No. 5,940,732).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to STEVEN H. RAO whose telephone number is (571)272-1718. The examiner can normally be reached on 8.30-5.30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael Fahmy can be reached on 571-272-1714. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Steven H Rao/

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